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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

MÖCKEL et al.

Appln. No.: 09/725,178

Filed: November 29, 2000

Title: Novel Nucleotide Sequences Encoding the gpm gene

Group Art Unit: 1652

Examiner: Richard G. Hutson, Ph.D.

August 6, 2002

\* \* \* \* \*

RECEIVED  
AUG 09 2002  
TECH CENTER 1600/2900

AMENDMENT "A"

Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is in response to the official action dated May 6, 2002, and is timely filed as the final date (petition for an extension of time not required) for taking action is August 6, 2002. The applicants respectfully traverse the outstanding official action in view of the amendment and remarks set forth below.

**I. AMENDMENT**

IN THE SPECIFICATION

*Please amend the specification as follows.*

*Please amend the paragraph at page 1, lines 10-13 of the specification as follows.*

The invention provides nucleotide sequences encoding the gpm gene, which encodes phosphoglycerate mutase, and fermentation processes for the preparation of amino acids, especially L-lysine, using corynebacteria in which the gpm gene is amplified.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): MÖCKEL et al.

Appn. No.: 09

Series Code ↑

725,178

Serial No. ↑

Filed: November 29, 2000

Hon. Commissioner of Patents  
Washington, D.C. 20231

Group Art Unit 1652

Examiner: R. HUTSON

Atty. Dkt. P 273989

M# 990168 BT

Client Ref:

Appln. Title: NOVEL NUCLEOTIDE SEQUENCES  
ENCODING THE GPM GENE

AUG 09 2002

Sir:

Date: August 6, 2002

REPLY/AMENDMENT/LETTER TECH CENTER 1600/2000

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim	For B & C See Required Separate Paper (Pat-256)	
A. <input checked="" type="checkbox"/> NOT made		
B. <input type="checkbox"/> Withdrawn		
C. <input type="checkbox"/> made herewith		
D. <input type="checkbox"/> made previously		

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	14	**minus 28	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	6	***minus 3	3	x \$84/\$42 =	+ \$252	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....			add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: August 6, 2002	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 =		+ \$0		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0			
8.			Extension Fee	+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....			+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... or if Rule 97(d) Request .....	add add	+ \$180 + \$180		+ \$0		126 126
11. After-Final Request Fee per rules 129(a) and 17(r) .....			+ \$740/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b) .....			x \$740/370 ea	+ \$0		149/249
13. Request for Continued Examination (RCE) .....			+ \$740/370	+ \$0		1179/1279
14. Petition fee for .....				+ \$0		
15.			TOTAL FEE =	\$252		

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 21123 273989

C# M#

PLEASE CHARGE  
OUR DEP. ACCT

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group  
By Atty: Thomas A. Cawley, Jr., Ph.D.

Reg. No. 40944

Sig:

Fax: (703) 905-2500  
Tel: (703) 905-2144

Atty/Sec: TAC/smm

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments